REMARKS TO
HOUSE ADMINISTRATION COMMITTEE
ON ELECTION REFORM
UNITED STATES HOUSE OF REPRESENTATIVES

May 10, 2001

Thank you for the opportunity to address the House Administration Committee of the United States House of Representatives, on federal election reform. My name is **Pam Iorio** and I am serving my third term as the Supervisor of Elections in Hillsborough County, Florida. I am also the President of the Florida State Association of Supervisors of Elections. Prior to my service as Supervisor, I served eight years on the Hillsborough County Commission. Hillsborough County is the fourth largest county in the state with 500,000 voters, and we have been on the punch card system since 1976.

My purpose here today is to talk to you about the progressive legislative changes that will impact the future of Florida elections, and the positive role the federal government can take in assisting local governments with elections changes.

The closeness of the presidential election of 2000 highlighted the frailties of many aspects of our election system. In Florida, our election infrastructure was revealed as a hodge-podge of voting systems, from the paper ballot, to lever machines, to punch cards, to optical scan. The voting system used by almost every major urban county in the state was based on 1970s technology, and that led to a large number of errors made by voters on Election Day that effectively negated thousands of votes.

During the past presidential election in Florida, a race won by 537 votes, there were 105,000 votes for president that were discarded because the voter voted for more than one candidate for president -- this is called "over-voting." The number of over-votes varied dramatically according to the voting system used by each county. The number was higher in punch card and central count optical scan counties, and lower in precinct based optical scan counties.

Some analysts look at the combined over and under-vote when judging the performance of voting systems. An "under-vote" is when a voter skips a race altogether. This is usually a conscious decision on the part of the voter but can be attributed to ballot design, or unfamiliarity with a particular type of technology.

In the Florida 2000 presidential election, the combined under and over-vote differed among voting systems. Punch card counties had a 3.93% rate, central count optical scan had a 5.68% rate, one county that utilized the paper ballot had a 6.32% rate, and the lowest rate was the precinct based optical scan at .83%. Thus, we can see that the type of voting system used had an effect on the number of votes that were counted for president in each county.

A recent study conducted by CalTech/MIT examined the reliability of existing voting equipment used in the United States over the past four presidential elections. They looked at the "residual vote," that is, the combined under and over-vote that each voting

system produces. Their results showed that the residual voting rate of punch card methods and electronic devices is 50% higher than the residual voting rate of optically scanned ballots. One interesting finding that merits more attention as we move toward the development of new and better electronic direct recording devices, is the higher incidence of under-votes with the touch screen systems. The study concludes that many Americans may be unaccustomed to using an ATM or similar electronic devices with key pads or touch screens and as a result DRE's might produce more under-voting. The report notes that voters may react differently to paper than to machines because we are trained in school to answer all of the questions as best as possible, especially on standardized tests similar to the format used for optically scanned voting.

Last week the Florida Legislature passed the most sweeping election reform in Florida history -- and the focus of that reform was on change in voting technology.

The new law decertifies the use of punch card systems, and any other voting system that is not precinct-based. The law specifically states that, "A county must use an electronic or electromechanical precinct-count tabulation voting system," and further, that the voting system at the precinct must be set up to reject a ballot and provide the elector an opportunity to correct the ballot where the elector has over-voted on a race.

Many states are debating whether they, too, should discard their punch cards and other older technologies. The lesson from the November election is that election technology and investment in this technology must at least keep pace with the technological

advances in other aspects of our lives. When it come to the administration of elections, the nation should utilize the very best technology. We must not stand still -- we must move forward and bring about positive change.

Many counties across the nation cannot change technologies because of the expense. The Florida Legislature recognized this in their Election Reform Act by allocating grants to counties to help pay for the transition to new technology. Counties with populations of less than 75,000 in population will receive $7,500 per precinct and larger counties will receive $3,750 per precinct. This is an appropriate distribution of funds since many small counties in Florida have a limited tax base and cannot afford funds for new equipment.

However, many of the larger, urban counties across the nation will be looking at a paperless, direct recording system and those systems cost at least four times as much as the precinct optical scan. For example, in Hillsborough County, we can move to optical scan for $3 million, but a move to touch screen would cost between $12 - $20 million.

Large urban counties in Florida, such as Hillsborough, Broward, Orange, Duval, Miami-Dade and Palm Beach, have large urban infrastructure needs, and it is difficult for local governments to allocate funds for expensive direct recording systems. Yet, a paperless balloting system makes sense for large urban centers. Los Angeles County in California has 4.1 million voters and the requirement to produce a ballot in seven different languages. Miami-Dade has 1 million voters and ballots in three languages. Printing paper ballots for these large jurisdictions is cumbersome, inefficient and expensive.

What is the role of the federal government in helping counties move to new technology?

Perhaps we should first ask, what has been the historic role of the federal government in the elections process? We know that the federal government involves itself in the election process to ensure fairness to all citizens -- to level the playing field for all voters. The 1965 Voting Rights Act for example, told states that they could not enact a poll tax or a literacy test as a prerequisite for voting. There, the federal government recognized an inequity -- that some voters were being treated differently than others. The passage of the National Voter Registration Act in 1993 was another milestone piece of legislation -- it mandated a uniform method of registration across the country so that citizens everywhere would have equal access to the registration process.

Today, the issue is one of differences in technology that creates an unequal playing field for voters. A voter in Florida in 2002 will have an opportunity to correct an error before his or her vote is actually counted -- a voter in Illinois still using the punch card system will not be afforded that same opportunity. A county with a strong tax base will be able to afford the best technology that eliminates the over-vote -- a county with a poor tax base is stuck with technology of the 1970s. Is this fair to the voters of our country? Doesn't the federal government have a role to play to ensure that all citizens of this nation, regardless of the economic circumstances of their particular county, have the right to the best possible voting technology?

The Election Improvement Act that is before your committee represents the involvement of the federal government in ensuring that all voters across this nation have access to better, more advanced election technology. The threshold for election technology in all 3,155 counties in the United States should be precinct based systems that can alert the voter that he or she has made an error and gives the voter an opportunity to correct the error. The current figure in the bill of $6,000 per precinct is a good start, but again, large urban counties will need a greater funding level to help them move to the more advanced direct recording devices.

Ultimately, the presidential election of 2000 will be about how we as a nation responded to the problems and challenges we faced. Florida has responded well to the challenges of November -- we identified the problems, crafted and passed legislation, and formed a funding partnership between state and local governments. We have strived for a model election system. The question today is how will the federal government respond to the problems of the past election? Will the federal government play a role in bringing technological equity to all voters?

The problems revealed through this election process gives us an opportunity to do what Americans do best -- bring about positive change. Through the work of federal, state and local governments, it can be the lasting legacy of this election.